

REMARKS

Claims 1, 2 and 11 are pending and at issue.

As an initial note, the undersigned would like to thank Examiner Chin-Shue for the courtesies extended during a telephone interview initiated by the undersigned on Thursday, January 17, 2008 for the purpose of obtaining an understanding of the Examiner's positions with respect to the arguments presented in Applicants' Response filed on May 29, 2007. During the course of the discussion, Examiner Chin-Shue explained his interpretation of the phrase "the drag harness is made from a single length of strapping" allowed for the drag harness to be made from multiple pieces of strapping that have been cut from a single length. In order to eliminate this interpretation, the undersigned proposed the amendments that are contained herein and Examiner Chin-Shue indicated that, at least at first glance, the amendment would eliminate the broader interpretation from the prior version of the claim, but indicated that this opinion could change upon further review of the amendment after it was submitted. Examiner Chin-Shue also indicated that if the amendment were to be construed as the undersigned intends, it would require additional searching, thereby necessitating the filing of a request for continued examination, which has been filed herewith.

It is respectfully submitted that none of the references relied on in the present Office Action taken alone or together, show or suggest the structures recited in the amended claims. In this regard, Schoenbrun is a multiple piece construction having at least six separate strap members (A,B,2,3,4,5) that are joined at the free ends by a rivet 1, with all of the straps being made from fabric covered spring metal bands which retain

the straps in a curved body encircling condition, with an additional leash 10 that is attached to a swivel hook 8 extending from the rivet 1 by a snap hook, the removal of which allows the harness to be worn without being visible on the wearer. Yocco fails to disclose a harness having two arm loops, each of which have a fixed length, together with a drag grip that is joined to the arm loops solely at a common juncture. Rather, Yocco discloses a harness wherein the arm loops cannot be at a fixed length or be joined to the drag grip because Yocco is expressly directed towards “a drag harness which maintains an incapacitated individual within the coat when such individual is being dragged therewith” (column 1, lines 42-44), by providing arm loops that “tighten about the upper arms 46 and 54, respectively, and/or shoulders of the individual 36.” (column 5, lines 1-5) Thus, to the extent that Yocco teaches the use of a continuous length of strap to form it harness, this teaching is for the purpose of allowing the arm loops to tighten on the arms of an individual, which is contrary to the purpose of Schoenbrun which is to provide a child restraint device that is “adapted to be comfortably worn by the child without harming and irritating the tender flesh of the child” and which is “quickly applied to the child”. There is absolutely nothing in Schoenbrun or in Yocco to suggest that the permanently curved, spring metal bands of Schoenbrun could somehow be made from a continuous length of strapping, let alone that Schoenbrun would be improved by such a construction. Indeed, because the web material disclosed in Yocco is so different than the permanently curved, spring metal bands of Schoenbrun, it cannot fairly be argued that one skilled in the art would look to Yocco when seeking to improve the permanently curved, spring metal band construction of Schoenbrun. Even if this were ignored, one skilled in the art would not

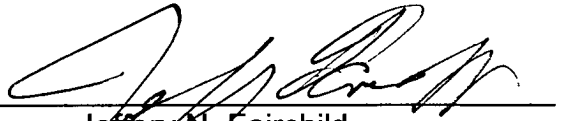
look to Yocco to modify Schoenbrun because Schoenbrun seeks to have fixed length arm loops rather than arm loops that tighten about the arms or shoulders of an individual as taught for the continuous strap construction of Yocco. Additionally, even if all of the above were ignored, Schoenbrun is specifically directed towards a child restraint "which is not visible on the wearer". Schoenbrun achieves this by providing the swivel hook so that the leash, which is always visible when in use, can be detached when not in use. It would be completely contrary to this express purpose of Schoenbrun for its leash 10 to be made from a single continuous strap because the leash 10 would always be visible on the wearer.

In view of the amendments to the claims, Applicants respectfully request reconsideration of the rejections and allowance of the case.

Respectfully submitted,

WOOD, PHILLIPS, KATZ,
CLARK & MORTIMER

By


Jeffery N. Fairchild
Reg. No. 37,825

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500 West Madison Street
Suite 3800
Chicago, IL 60661
(312) 876-1800